

Williamson and Burnet counties, Texas, including therein the present Long Grove Common County Line School District No. 37, of Burnet and Williamson counties, and the Prairie Lee Common School District No. 10, of Williamson county; providing a board of trustees therefor; vesting said school district of trustees with all the rights, powers, privileges and duties conferred upon common county line school districts incorporated under the general laws of Texas, and providing for a board of trustees to serve until the time for the next election of school trustees as provided by general law; providing for the validation of all contracts for maintenance of the schools of the districts herein incorporated for the current scholastic year, as the subsisting obligations and acts of the Common County Line School District No. 37 as created by this act; conferring upon Williamson county jurisdiction over the said district, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

STOUT, Chairman.

Committee Room,

Austin, Texas, February 26, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 385, "An Act to create the Wolfe City Independent School District in Hunt county, Texas, including the present Wolfe City Independent School District of said county; providing for a board of trustees in said district; vesting said independent school district and board of trustees with all the powers, rights, privileges and duties conferred upon independent school districts incorporated under the general laws of Texas; providing that the board of trustees of the present Wolfe City Independent School District shall continue to act as such herein; divesting the city of Wolfe City of the control of the public schools of the district as created by this act, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

STOUT, Chairman.

Committee Room,

Austin, Texas, February 26, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 324, "An Act amending Chapter 16 of the Local and Special

Laws of the Thirty-sixth Legislature, being an Act passed at the Regular Session thereof and approved on the nineteenth day of February, 1919, and incorporating the Saratoga Independent School District and defining its boundaries; divesting the county of Hardin of the control of schools in Common School District No. 17 and fixing same in the Saratoga Independent School District and divesting Hardin county of the title of all school property in Common School District No. 17 in Hardin county, Texas, and fixing same in the board of trustees of Saratoga Independent School District and providing for the assumption by the said Saratoga Independent School District of all debts, bonds and other obligations of Common School District No. 17 of Hardin county, Texas, and other common school districts whose boundaries are affected by this act, and providing for the election of a board of trustees and defining the powers given said independent school district through its said board of trustees; providing for the filling of vacancies in such board, giving said board the power to manage and control, maintain and operate the public free schools within said district, to levy, assess and collect taxes; providing for the present trustees of the Saratoga Independent School District to continue as such trustees under this act, making said school district a body politic with right to sue and be sued, contract and be contracted with; providing for the election and qualification of trustees for said district; providing for the appointment of a tax assessor and collector; providing for the appointment of a board of equalization by the board of trustees and defining the powers of such board; defining the powers of the board of trustees to contract with the superintendent, principal and teachers for said school district; repeal all laws and parts of laws in conflict with this act and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

STOUT, Chairman.

THIRTY-FIFTH DAY.

(Tuesday, March 3, 1925.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Satterwhite.

The roll was called and the following members were present:

Acker.

Albritton.

Alexander	Kemble.
of Bastrop.	Kenyon.
Alexander	King.
of Limestone.	Kinnear.
Amsler.	Kittrell.
Atkinson.	Laird.
Avis.	Lane of Hamilton.
Baker of Orange.	Lane of Harrison.
Baker of Panola.	Lipscomb.
Barker.	Loftin.
Barron.	Low.
Bartlett.	Mankin.
Bateman.	Masterson.
Bean.	Maxwell.
Bedford.	McBride.
Bird.	McDonald.
Blount.	McDougald.
Bobbitt.	McFarlane.
Boggs.	McGill.
Bonham.	McKean.
Brown.	McNatt.
Bryant.	Merritt.
Cade.	Montgomery.
Carter.	Moore.
Chitwood.	Morris.
Coffey.	Nicholson.
Conway.	Parish.
Coody.	Pavlica.
Covey.	Pearce.
Cox of Lamar.	Perdue.
Cox of Navarro.	Petsch.
Cummings.	Poage.
Dale.	Pool.
Daniels.	Pope.
Davis of Dallas.	Powell.
Davis of Wood.	Purl.
DeBerry.	Rawlins.
Dielmann.	Raymer.
Donnell.	Renfro.
Downs.	Rice.
Dunlap.	Robinson.
Dunn of Falls.	Rogers.
Dunn of Hopkins.	Rowell.
Durham.	Rowland.
Enderby.	Sanford.
Farrar.	Shearer.
Faulk.	Sheats.
Fields.	Simmons.
Finlay.	Sinks.
Florence.	Smith of Nueces.
Frnka.	Smith of Travis.
Graves.	Smyth.
Gray.	Sparks.
Hagaman.	Stautzenberger.
Hall.	Stell.
Harman.	Stevenson.
Harper.	Storey.
High.	Stout.
Hollowell.	Strong.
Hoskins.	Taylor.
Irwin.	Teer.
Jacks.	Thompson.
Jasper.	Tomme.
Johnson.	Veatch.
Jones.	Wade.
Justice.	Walker.
Kayton.	Wallace.

Webb.	Williamson.
Wells.	Wilson.
Westbrook.	Woodruff.
Wester.	Young.

Absent.

Jordan.	Simpson.
Runge.	

Absent—Excused.

Dinkle.	Hull.
Foster.	Stevens.

A quorum was announced present.
Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leave of absence on account of important business:

Mr. Stevens for today, on motion of Mr. Jasper.

Mr. Dinkle for today, on motion of Mr. Conway.

Mr. Hull for today, on motion of Mr. Cade.

The following member was granted leave of absence on account of sickness:

Mr. Foster for today, on motion of Mr. Baker of Orange.

BILL ORDERED NOT PRINTED.

On motion of Mr. McFarlane, House bill No. 580 was ordered not printed.

RELATING TO THE PRACTICE OF HAZING IN STATE COLLEGES.

Mr. Boggs offered the following resolution:

Whereas, The charge is made that "hazing" in the A. and M. College is not conducive to the best interests of this school; and

Whereas, The victim of this "hazing" is often more or less seriously injured; and

Whereas, It is sometimes found necessary to expel students participating in these acts of "hazing"; therefore, be it

Resolved, That the Thirty-ninth Legislature disapproves of the "hazing" of students in any schools in the State of Texas; and, be it further

Resolved, That the students of all schools in the State of Texas be and are hereby requested to dispense with any future acts of "hazing" in their schools.

The resolution was read second time.
Mr. Merritt offered the following amendment to the resolution:

Amend resolution in next to last line by striking out the word "requested," and inserting the word "demanded" in lieu thereof.

The amendment was adopted.

Mr. Williamson offered the following amendment to the resolution:

Amend resolution by striking out "A. and M. College" and inserting in lieu thereof "of all State schools."

Mr. Wells offered the following substitute for the amendment:

Substitute amendment for Boggs resolution by striking out word "A. and M. College" and insert in lieu thereof "Prairie View College."

Mr. Petsch moved the previous question on the pending amendments and the resolution and the main question was ordered.

Question first recurring on the substitute amendment, it was lost.

Question then recurring on the amendment by Mr. Williamson, it was adopted.

Question then recurring on the resolution as amended, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—76.

Acker.	Hollowell.
Albritton.	Hoskins.
Atkinson.	Jasper.
Avis.	Jones.
Baker of Panola.	Jordan.
Barker.	Justice.
Barron.	Kinnear.
Bateman.	Laird.
Bean.	Lane of Hamilton.
Bedford.	Lipscomb.
Bird.	Loftin.
Boggs.	Mankin.
Bryant.	Masterson.
Coffey.	McBride.
Conway.	McDougald.
Coody.	McFarlane.
Cox of Lamar.	McGill.
Cox of Navarro.	McNatt.
Cummings.	Merritt.
Davis of Wood.	Moore.
DeBerry.	Pavlica.
Donnell.	Pearce.
Downs.	Perdue.
Dunn of Hopkins.	Pope.
Durham.	Renfro.
Enderby.	Rice.
Farrar.	Rogers.
Fields.	Rowell.
Frnka.	Simmons.
Graves.	Sinks.
Hall.	Smith of Nueces.
Harman.	Stell.
Harper.	Stevenson.
High.	Storey.

Teer.
Thompson.
Tomme.
Veatch.
Wallace.

Webb.
Wester.
Williamson.
Young.

Nays—35.

Alexander of Bastrop.	Lane of Harrison.
Amsler.	Low.
Baker of Orange.	Maxwell.
Bartlett.	McKean.
Cade.	Poage.
Carter.	Powell.
Dale.	Purl.
Daniels.	Rawlins.
Dunlap.	Robinson.
Dunn of Falls.	Rowland.
Gray.	Shearer.
Jacks.	Sheats.
Johnson.	Smith of Travis.
Kayton.	Sparks.
Kemble.	Stout.
Kenyon.	Taylor.
Kittrell.	Walker.
	Wells.

Present—Not Voting.

Wilson.

Woodruff.

Absent.

Alexander of Limestone.	King.
Blount.	McDonald.
Bobbitt.	Montgomery.
Bonham.	Nicholson.
Brown.	Parish.
Chitwood.	Petsch.
Covey.	Pool.
Davis of Dallas.	Raymer.
Dielmann.	Runge.
Faulk.	Sanford.
Finlay.	Simpson.
Florence.	Smyth.
Hagaman.	Stautzenberger.
Morris.	Strong.
Irwin.	Wade.
	Westbrook.

Absent—Excused.

Dinkle.
Foster.

Hull.
Stevens.

RELATING TO PECOS RIVER COMPACT.

The Speaker laid before the House, for consideration at this time,

S. C. R. No. 20, Relating to the Pecos River Compact and its ratification.

(The resolution being the same as H. C. R. No. 21.)

The resolution was read second time and was adopted.

REQUESTING CERTAIN APPROPRIATIONS IN REGARD TO NATIONAL DEFENSE ACT.

The Speaker laid before the House,

for consideration at this time, the following resolution:

S. C. R. No. 19, Requesting the Congress of the United States to appropriate funds to carry out certain recommendations of the Chief of Staff of the United States Army made in furtherance of the National Defense Act of 1920.

The resolution was read second time.

On motion of Mr. Purl, the resolution was referred to the Committee on Military Affairs.

HOUSE BILL NO. 87 ON SECOND READING.

The Speaker laid before the House, as a special order for this hour, on its passage to engrossment,

H. B. No. 87, A bill to be entitled "An Act regulating and providing for a better election and primary election system in this State; providing for a preferential or first and second choice ballot in primaries; making provision for necessary details of poll tax payments, voting and requirements incidental to suffrage and elections, and declaring an emergency."

The bill having heretofore been read second time, with (committee) amendments by Mr. Harman pending.

Mr. Harman offered the following amendment to the (committee) amendment:

Amend House bill No. 87, Section 5, line 34, page 11, by inserting after the word "shall" "not less."

Committee amendment to amend committee amendment No. 1 of House bill No. 87, page 14, Section 9, line 31, by inserting after the word "State" the word "county."

The amendments were severally adopted.

(Mr. Chitwood in the chair.)

Mr. Harman offered the following amendment to the bill:

Committee amendment to amend committee amendment No. 1 of House bill No. 87 by adding at the end of line 28, page 13, Section 7, the following: "Provided that second choice votes shall only have half the value of first choice votes."

(Speaker in the chair.)

Mr. McFarlane moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—81.

Acker.	Kayton.
Alexander	King.
of Bastrop.	Kinnear.
Alexander	Kittrell.
of Limestone.	Laird.
Amsler.	Lane of Hamilton.
Baker of Panola.	Lane of Harrison.
Barker.	McBride.
Barron.	McDonald.
Bartlett.	McFarlane.
Bedford.	McGill.
Bird.	McKean.
Bobbitt.	McNatt.
Boggs.	Merritt.
Bonham.	Montgomery.
Bryant.	Moore.
Cade.	Parish.
Carter.	Pearce.
Chitwood.	Pope.
Conway.	Powell.
Coody.	Purl.
Covey.	Rawlins.
Cox of Navarro.	Renfro.
Cummings.	Rice.
Daniels.	Robinson.
Davis of Dallas.	Rowell.
Davis of Wood.	Rowland.
Donnell.	Sanford.
Downs.	Sheats.
Dunn of Falls.	Simmons.
Durham.	Sparks.
Enderby.	Stautzenberger.
Faulk.	Stout.
Fields.	Taylor.
Florence.	Tomme.
Hagaman.	Veatch.
Hoskins.	Wade.
Irwin.	Walker.
Jacks.	Westbrook.
Jasper.	Wester.
Johnson.	Williamson.
Jones.	Woodruff.
Justice.	

Nays—34.

Albritton.	Low.
Bateman.	Masterson.
Bean.	McDougald.
Brown.	Pavlica.
Coffey.	Petsch.
Cox of Lamar.	Poage.
Dunn of Hopkins.	Pool.
Farrar.	Rogers.
Frnka.	Shearer.
Graves.	Stell.
Gray.	Storey.
Harman.	Thompson.
Harper.	Wallace.
High.	Webb.
Hollowell.	Wilson.
Lipscomb.	Young.
Loftin.	

Present—Not Voting.

DeBerry.	Kemble.
Dunlap.	Stevenson.

Absent.

Atkinson.	Nicholson.
Avis.	Perdue.
Baker of Orange.	Raymer.
Blount.	Runge.
Dale.	Simpson.
Dielmann.	Sinks.
Finlay.	Smith of Nueces.
Hall.	Smith of Travis.
Jordan.	Smyth.
Kenyon.	Strong.
Mankin.	Teer.
Maxwell.	Wells.
Morris.	

Absent—Excused.

Dinkle.	Hull.
Foster.	Stevens.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 3, 1925.

Hon. Lee Satterwhite, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to
inform the House that the Senate has
passed

H. C. R. No. 22, Requesting the Gov-
ernor to return House bill No. 249 for
correction.

The Senate has agreed to concur in
House amendments to Senate bill No. 82.

The Senate grants the request of the
House for the appointment of a Free
Conference Committee on House bill No.
101.

The following are appointed as con-
fererees on part of the Senate: Senators
Bowers, Price, Witt, Reid and Wirtz.

Respectfully,

MORRIS C. HANKINS,
Assistant Secretary of the Senate.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced
today, were laid before the House, read
severally first time, and referred to the
appropriate committees, as follows:

By Mr. Rowland (by request):

H. B. No. 587, A bill to be entitled
"An Act to amend Sections 11 and 18,
Chapter 29, of the General Laws of the
Second and Third Called Sessions of the
Thirty-eighth Legislature, and repealing
all laws in conflict herewith, and declar-
ing an emergency."

Referred to Judiciary Committee.

By Mr. Chitwood:

H. B. No. 588, A bill to be entitled
"An Act to amend Section 1, of Chap-

ter 3, Special Laws of the Thirty-eighth
Legislature, Third Called Session, the
same being entitled 'An Act to create
Roscoe Independent School District in
Nolan county, Texas.'"

Referred to Committee on School
Districts.

By Mr. Smyth:

H. B. No. 589, A bill to be entitled
"An Act to create Friona Independent
School District in Parmer county,
Texas."

Referred to Committee on School
Districts.

By Mr. Merritt:

H. B. No. 590, A bill to be entitled
"An Act creating Snyder Independent
School District in Scurry county,
Texas."

Referred to Committee on School
Districts.

By Mr. Parish:

H. B. No. 591, A bill to be entitled
"An Act adding certain territory to
Eden Independent School District in
Concho county, Texas."

Referred to Committee on School
Districts.

By Mr. Stevenson:

H. B. No. 592, A bill to be entitled
"An Act amending the Acts of the Thir-
ty-eighth Legislature, Second Called
Session, Chapter 6, and providing that
where the State of Texas, through the
Game, Fish and Oyster Commissioner,
has issued a permit to excavate and take
from an island, reef, bar, lake, river,
creek, bayou or bay of this State, marl,
mud shell, oyster shell, sand and gravel,
the State, at the request of the permit
holder, shall have the right and power
to condemn land for the purpose of
erecting dredges and necessary equip-
ments, railroads, spurs, and of opening
roads and passage ways to said place of
operations, including all such lands,
right of way, easements and property
aforesaid for the purpose of establish-
ing and maintaining landing, and pro-
viding moorings for barges and dredges
and all equipments; and providing that
the method of condemnations shall be
the same as now provided by law in
cases of railroads, and providing that
suit shall be instituted in the name of
the State by the county attorney, of the
county in which the property or a part
thereof affected by such proceedings is
situated, and providing a fee of \$10 in
each case for the county attorney in in-

stituting such proceedings, to be collected as a part of the costs, and providing for all costs to be paid by either the permit holder or by the person against whom such proceedings are had, to be determined as in the case of railroad condemnation proceedings, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Finlay:

H. B. No. 593, A bill to be entitled "An Act to amend Section 2, Chapter 40, Local and Special Laws, enacted by the Regular Session of the Thirty-fourth Legislature in 1915, same being an amendment to San Saba county special road law, by adding thereto Section 2a to permit the issuance of bonds by San Saba county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Renfro:

H. B. No. 594, A bill to be entitled "An Act to create Sipe Springs Independent School District in Comanche county, Texas."

Referred to Committee on School Districts.

By Mr. Rogers:

H. B. No. 595, A bill to be entitled "An Act to create the Shelbyville Independent School District of Shelby county, Texas."

Referred to Committee on School Districts.

By Mr. Raymer and Mr. Smith of Travis:

H. B. No. 596, A bill to be entitled "An Act to empower and direct the Governor of the State of Texas, with the consent of the city of Austin, to cancel the lease heretofore made by the State of Texas, to the city of Austin, of certain land lying between the Colorado River and Outlots 1 and 11, of Division Z, in the city of Austin, and declaring an emergency."

Referred to Committee on Public Lands and Buildings.

By Mr. Dale:

H. B. No. 597, A bill to be entitled "An Act authorizing an unmarried woman who is a notary public, and who shall marry during her term of office, to continue to act, with the county clerk

setting forth the fact of her marriage and her changed name."

Referred to Judiciary Committee.

By Mr. Pope:

H. B. No. 598, A bill to be entitled "An Act providing for the election of county superintendents of public instruction; prescribing the term of office, qualifications and salaries of county superintendents; making provision for office and traveling expenses of superintendents; authorizing county boards of trustees to fill vacancies in the office of county superintendents; repealing all laws and parts of laws inconsistent or in conflict herewith, and declaring an emergency."

Referred to Committee on Education.

By Mr. Kittrell:

H. B. No. 599, A bill to be entitled "An Act to amend Chapter 117 of the General Laws of the Thirty-eighth Legislature so as to make proper disposition of intoxicating liquor seized and authorized to be destroyed by court order, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Fields, Mr. Cox and Mr. Taylor:

H. B. No. 600, A bill to be entitled "An Act to amend Article 3903 of the Revised Civil Statutes of the State of Texas, for 1911, as amended by the Thirty-third Legislature at its Regular Session, Chapter 121, and Chapter 142, of the General Laws, as amended by Chapter 32 of the General Laws of the Third Called Session of the Thirty-sixth Legislature, as amended by Chapter 96, of the General Laws of the Regular Session of the Thirty-seventh Legislature, authorizing county attorneys and district attorneys in counties having a population in excess of one hundred thousand inhabitants, where there is also a district attorney, to appoint deputies, or assistants, by adding Section 3903a, providing that counties composing one judicial district, and the population being between thirty-seven thousand five hundred and one hundred thousand, and the county attorney, performs the duties of county attorney and district attorney."

Referred to Judiciary Committee.

By Mr. McDonald:

H. B. No. 601, A bill to be entitled "An Act to amend Section 19, of Chapter 5, Local and Special Laws passed by the Thirty-third Legislature at its Regular Session, same being a special road law for San Jacinto county, Texas,

by adding thereto Section 19a, to permit the issuance of bonds by said county, for the purpose of funding or refunding indebtedness incurred for road and bridge purposes prior to March 1, 1925, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Stell:

H. B. No. 602, A bill to be entitled "An Act to fix the term of court for the Sixth Judicial District in Fannin and Lamar counties; providing for the convening of grand juries in Lamar county; repealing all laws in conflict therewith, and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. Moore:

H. B. No. 603, A bill to be entitled "An Act creating the Ben Franklin Independent School District in Delta county, Texas."

Referred to Committee on School Districts.

By Mr. Merritt:

H. B. No. 604, A bill to be entitled "An Act creating and incorporating the Twin Wells Independent County Line School District, lying in the counties of Dickens and Kent, in the State of Texas."

Referred to Committee on School Districts.

By Mr. Maxwell:

H. B. No. 605, A bill to be entitled "An Act making an appropriation to the Board of Water Engineers of the funds which the United States government shall turn over to the State of Texas to reimburse the State of Texas for expenses of hydrographic surveys on the Rio Grande for stream measurements purposes, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Raymer:

H. B. No. 606, A bill to be entitled "An Act to create a more efficient road system for Travis county."

Referred to Committee on Highways and Motor Traffic.

By Mr. Rowland:

H. B. No. 607, A bill to be entitled "An Act to amend Articles 5713 and 5714, of Chapter 3, of Title 87, of the Revised Civil Statutes of 1911 of Texas,

by adding thereto Articles 5714a, 5714b and 5714c, limiting or rendering invalid certain provisions in the charters and ordinances of cities and towns exempting them from liability for damages."

Referred to Committee on Municipal and Private Corporations.

RECESS.

On motion of Mr. Harman, the House, at 12 o'clock m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by the Speaker.

BILL RE-REFERRED.

On motion of Mr. Mankin, Senate bill No. 305 was withdrawn from the Committee on State Affairs and referred to the Committee on Criminal Jurisprudence.

REQUESTING GOVERNOR TO RETURN HOUSE BILL NO. 218.

Mr. Stevenson offered the following resolution:

H. C. R. No. 23, Requesting the Governor to return House bill No. 218 for further consideration.

Whereas, House bill No. 218 has passed the House and Senate and is now in the Governor's office for approval or disapproval; and

Whereas, It has been found that the bill needs amending in several particulars in order to make it workable; therefore be it

Resolved by the House of Representatives, the Senate concurring, That the Governor is hereby requested to return said House bill No. 218 to the House for further consideration.

The resolution was read second time and was adopted.

HOUSE BILL NO. 87 ON ENGROSSMENT.

The House resumed consideration of pending business, same being House bill No. 87, relating to the primary election law, on its passage to engrossment, with (committee) amendment by Mr. Harman pending.

Mr. Veatch offered the following amendment to the bill:

Amend (committee) amendment to House bill No. 87, pages 9 and 10, by striking out Section 1 of said bill.

Mr. Dielmann offered the following substitute for the amendment:

Amend (committee) amendment to House bill No. 87, page 10, by inserting in line 7, after the word "primary," "unless he shall have gone before the tax collector of his county and declared his party affiliation at least thirty days before such primary and shall have the change noted on his poll tax receipt and on the poll list of the tax collector."

The substitute amendment was adopted.

Question then recurring on the amendment as substituted, it was adopted.

Mr. Jacks offered the following amendment to the bill:

Amend House bill No. 87 by adding at the end of Section 16 the following: "Provided, that once a certificate of exemption of over 60 years of age is issued to a person that such certificate shall be permanent and valid each and every year thereafter."

The amendment was adopted.

Mr. Petsch offered the following amendment to the bill:

Amend House bill No. 87 by adding the following at the end of the bill:

"Provided, however, that hereafter all judicial officers of the State of Texas, excepting county judges and justices of the peace shall be nominated by party conventions, and that all regulations provided for in this act and the laws of Texas now in force pertaining to and prescribing rules and regulations for nominations of said judicial officers by party primary are hereby repealed. The executive committees of the several parties in this State are hereby empowered to prescribe rules and regulations pertaining to the nominations of said judicial officers."

Signed—Wells, Kayton, Acker, Moore, Sinks, Poage, Frnka, McFarlane, Hoskins, Williamson, Smith of Nueces, Dielmann, Bartlett, Mankin, Hollowell, McGill, Jacks, Raymer, Kittrell, Petsch, Rawlins, Powell, Alexander of Bastrop, Cade, Amsler, Wilson, Bobbitt, Barron, Woodruff, Montgomery, Faulk, Florence, Smith of Travis, Rowland, Purl.

Mr. Bonham offered the following substitute for the amendment:

Amend House bill No. 87 by adding the following paragraph at the end of the bill:

"Provided, however, that hereafter all judicial officers of the State of Texas, excepting district judges, county judges and justices of the peace, shall be nominated by party conventions, and all regulations provided for in this act and the laws of Texas now in force pertain-

ing to and prescribing rules and regulations for nominations of judicial officers by party primary are hereby repealed. The executive committee of the several parties in this State are hereby empowered to prescribe rules and regulations pertaining to the nominations of said judicial officers."

Mr. Barker moved the previous question on the pending amendment and the bill, and the motion was not seconded.

(Mr. Poage in the chair.)

Mr. Harman moved the previous question on the amendment by Mr. Petsch and the substitute amendment by Mr. Bonham, and the main question was ordered.

Question recurring on the substitute amendment by Mr. Bonham, yeas and nays were demanded.

The substitute was adopted by the following vote:

Yeas—67.

Albritton.	King.
Alexander	Kinnear.
of Bastrop.	Laird.
Atkinson.	Lane of Hamilton.
Avis.	McDonald.
Baker of Panola.	McDougald.
Barker.	McFarlane.
Bateman.	McKean.
Bean.	McNatt.
Bedford.	Merritt.
Bird.	Moore.
Boggs.	Parish.
Bonham.	Pavlica.
Bryant.	Pearce.
Carter.	Perdue.
Covey.	Pool.
Cummings.	Purl.
Dale.	Rice.
Daniels.	Rogers.
Davis of Wood.	Sheats.
Donnell.	Sparks.
Durham.	Stell.
Farrar.	Stout.
Fields.	Strong.
Graves.	Taylor.
Gray.	Teer.
Harper.	Thompson.
High.	Wade.
Irwin.	Wallace.
Jasper.	Westbrook.
Johnson.	Wester.
Jones.	Young.
Justice.	

Nays—49.

Acker.	Bobbitt.
Alexander	Cade.
of Limestone.	Coffey.
Amsler.	Coody.
Barron.	Cox of Lamar.
Bartlett.	Davis of Dallas.

Downs.	Montgomery.	Jacks.	Morris.
Dunn of Falls.	Petsch.	Johnson.	Perdue.
Dunn of Hopkins.	Pope.	Jones.	Petsch.
Enderby.	Powell.	Justice.	Powell.
Faulk.	Rawlins.	Kenyon.	Purl.
Finlay.	Renfro.	Kinnear.	Rawlins.
Florence.	Robinson.	Kittrell.	Rice.
Frnka.	Rowland.	Lane of Hamilton.	Robinson.
Harman.	Sinks.	Lane of Harrison.	Rowell.
Hollowell.	Smith of Travis.	Lipscomb.	Sheats.
Hoskins.	Stautzenberger.	Low.	Sinks.
Jacks.	Storey.	Mankin.	Smith of Travis.
Kittrell.	Walker.	Maxwell.	Stell.
Lipscomb.	Webb.	McBride.	Storey.
Low.	Wells.	McDonald.	Strong.
Mankin.	Williamson.	McDougald.	Teer.
Maxwell.	Wilson.	McFarlane.	Wade.
McGill.	Woodruff.	McGill.	Wells.
		McKean.	Westbrook.
		Montgomery.	Wilson.

Present—Not Voting.

Chitwood.	Rowell.
Hagaman.	Veatch.
Lane of Harrison.	

Absent.

Baker of Orange.	McBride.
Blount.	Morris.
Brown.	Nicholson.
Conway.	Poage.
Cox of Navarro.	Raymer.
DeBerry.	Runge.
Dielmann.	Sanford.
Dunlap.	Shearer.
Hall.	Simmons.
Jordan.	Simpson.
Kayton.	Smith of Nueces.
Kemble.	Smyth.
Kenyon.	Stevenson.
Loftin.	Tomme.
Masterson.	

Absent—Excused.

Dinkle.	Hull.
Foster.	Stevens.

Question then recurring on the amendment as substituted, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—66.

Albritton.	Daniels.
Alexander	Donnell.
of Bastrop.	Dunn of Hopkins.
Amsler.	Durham.
Baker of Panola.	Faulk.
Barron.	Florence.
Bartlett.	Frnka.
Bird.	Gray.
Bobbitt.	Hagaman.
Bonham.	Hall.
Cade.	Harman.
Chitwood.	High.
Coody.	Hollowell.
Cummings.	Hoskins.

Nays—50.

Acker.	Laird.
Alexander	McNatt.
of Limestone.	Merritt.
Atkinson.	Moore.
Barker.	Parish.
Bateman.	Pavlica.
Bean.	Pearce.
Bedford.	Pool.
Boggs.	Pope.
Bryant.	Renfro.
Carter.	Rogers.
Coffey.	Rowland.
Covey.	Sparks.
Cox of Lamar.	Stautzenberger.
Dale.	Stout.
Davis of Dallas.	Taylor.
Davis of Wood.	Thompson.
Downs.	Veatch.
Dunn of Falls.	Walker.
Enderby.	Wallace.
Fields.	Webb.
Finlay.	Wester.
Graves.	Williamson.
Harper.	Woodruff.
Jasper.	Young.
King.	

Present—Not Voting.

Kemble.	Masterson.
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Absent.

Avis.	Loftin.
Baker of Orange.	Nicholson.
Blount.	Poage.
Brown.	Raymer.
Conway.	Runge.
Cox of Navarro.	Sanford.
DeBerry.	Shearer.
Dielmann.	Simmons.
Dunlap.	Simpson.
Farrar.	Smith of Nueces.
Irwin.	Smyth.
Jordan.	Stevenson.
Kayton.	Tomme.

Absent—Excused.

Dinkle. Hull.
Foster. Stevens.

Mr. Bartlett offered the following amendment to the (committee) amendment:

Amend committee amendment No. 1 to House bill No. 87, page 13, Section 8, line 30, by striking out the word "shall" and insert in lieu thereof the word "may," and by striking out from the word "choice" in line 31 through line 33.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—53.

Albritton.	Lane of Hamilton.
Alexander	Lipscomb.
of Bastrop.	Mankin.
Alexander	McBride.
of Limestone.	McDougald.
Atkinson.	Merritt.
Bartlett.	Montgomery.
Bateman.	Morris.
Bobbitt.	Parish.
Boggs.	Perdue.
Carter.	Petsch.
Coffey.	Pool.
Covey.	Powell.
Cummings.	Purl.
Dale.	Rawlins.
Davis of Dallas.	Renfro.
Davis of Wood.	Robinson.
Enderby.	Rogers.
Faulk.	Sheats.
Finlay.	Simmons.
Florence.	Sinks.
Hagaman.	Storey.
High.	Stout.
Hollowell.	Strong.
Irwin.	Webb.
Jacks.	Wilson.
Justice.	Young.
Laird.	

Nays—56.

Acker.	Donnell.
Amsler.	Downs.
Avis.	Dunn of Falls.
Baker of Panola.	Dunn of Hopkins.
Barker.	Durham.
Barron.	Fields.
Bean.	Frnka.
Bedford.	Graves.
Bird.	Gray.
Bonham.	Hall.
Cade.	Harman.
Chitwood.	Harper.
Coody.	Hoskins.
Cox of Lamar.	Jasper.
Cox of Navarro.	Johnson.
Dielmann.	Kayton.

Kenyon.	Pearce.
Kittrell.	Pope.
Lane of Harrison.	Rice.
Low.	Rowell.
Maxwell.	Sparks.
McDonald.	Stautzenberger.
McFarlane.	Stell.
McGill.	Taylor.
McKean.	Walker.
McNatt.	Westbrook.
Moore.	Wester.
Pavlica.	Woodruff.

Present—Not Voting.

Bryant.	Veatch.
Kemble.	Wade.

Absent.

Baker of Orange.	Raymer.
Blount.	Rowland.
Brown.	Runge.
Conway.	Sanford.
Daniels.	Shearer.
DeBerry.	Simpson.
Dunlap.	Smith of Nueces.
Farrar.	Smith of Travis.
Jones.	Smyth.
Jordan.	Stevenson.
King.	Teer.
Kinnear.	Thompson.
Loftin.	Tomme.
Masterson.	Wallace.
Nicholson.	Wells.
Poage.	Williamson.

Absent—Excused.

Dinkle.	Hull.
Foster.	Stevens.

(Speaker in the chair.)

Mr. Frnka offered the following amendment to the bill:

Amend committee amendment No. 1 to House bill No. 87 by adding:

"Section 10a. Any person who shall vote in any primary election or participate in any convention, either or both, of more than one political party nominating candidates for the same offices, shall be fined not less than fifty (\$50) dollars nor more than two hundred (\$200) dollars."

The amendment was lost.

Mr. Cox of Navarro offered the following amendment to the bill:

Amend House bill No. 87, page 13, Section 7, of first committee amendment, by adding a column to the "Official Ballot" immediately following the word "county," headed "Occupation," in which the occupation of the candidate shall be given.

Mr. Purl moved to table the amendment and the motion to table was lost.

Question then recurring on the amendment, it was lost.

Question next recurring on the (committee) amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—49.

Acker.	Irwin.
Atkinson.	Jacks.
Baker of Panola.	Jasper.
Barron.	Kinnear.
Bean.	Kittrell.
Bedford.	Lane of Harrison.
Bobbitt.	Maxwell.
Bonham.	McDonald.
Chitwood.	McGill.
Cox of Navarro.	McNatt.
Davis of Dallas.	Montgomery.
DeBerry.	Morris.
Dielmann.	Perdue.
Donnell.	Petsch.
Downs.	Rawlins.
Durham.	Rogers.
Faulk.	Sinks.
Fields.	Sparks.
Frnka.	Stell.
Graves.	Stout.
Gray.	Taylor.
Hagaman.	Wade.
Hall.	Walker.
Harman.	Wells.
Hoskins.	

Nays—66.

Albritton.	Kenyon.
Alexander of Bastrop.	King.
Alexander of Limestone.	Lane of Hamilton.
Amsler.	Lipscomb.
Avis.	Low.
Barker.	McBride.
Bartlett.	McDougald.
Bateman.	McKean.
Bird.	Merritt.
Boggs.	Moore.
Bryant.	Parish.
Cade.	Pavlica.
Carter.	Pearce.
Coffey.	Poage.
Coody.	Pool.
Cox of Lamar.	Pope.
Dale.	Purl.
Davis of Wood.	Raymer.
Dunn of Falls.	Renfro.
Enderby.	Robinson.
Farrar.	Rowland.
Finlay.	Sanford.
Florence.	Shearer.
Harper.	Sheats.
High.	Simmons.
Johnson.	Stautzenberger.
Jones.	Strong.
Justice.	Teer.
Kayton.	Thompson.
	Veatch.
	Wallace.

Webb.
Westbrook.
Wilson.

Woodruff.
Young.

Present—Not Voting.

Kemble.

Absent.

Baker of Orange.	McFarlane.
Blount.	Nicholson.
Brown.	Powell.
Conway.	Rice.
Covey.	Rowell.
Cummings.	Runge.
Daniels.	Simpson.
Dunlap.	Smith of Nueces.
Dunn of Hopkins.	Smith of Travis.
Hollowell.	Smyth.
Jordan.	Stevenson.
Laird.	Storey.
Loftin.	Tomme.
Mankin.	Wester.
Masterson.	Williamson.

Absent—Excused.

Dinkle.
Foster.

Hull.
Stevens.

Question next recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 87 then failed to pass to engrossment by the following vote:

Yeas—42.

Alexander of Limestone.	Jasper.
Atkinson.	Kinnear.
Baker of Orange.	Kittrell.
Baker of Panola.	Laird.
Bean.	Lane of Harrison.
Bobbitt.	Maxwell.
Cox of Navarro.	McDonald.
Dielmann.	McGill.
Donnell.	McNatt.
Downs.	Montgomery.
Durham.	Moore.
Enderby.	Perdue.
Fields.	Petsch.
Frnka.	Rawlins.
Graves.	Shearer.
Gray.	Smyth.
Hagaman.	Sparks.
Hall.	Stell.
Harman.	Stout.
Hoskins.	Taylor.
Irwin.	Wells.

Nays—73.

Acker.	Bartlett.
Albritton.	Bateman.
Alexander of Bastrop.	Bedford.
Amsler.	Bird.
Avis.	Boggs.
Barker.	Bonham.
	Brown.

Bryant.	Parish.
Cade.	Pavlica.
Carter.	Pearce.
Coffey.	Poage.
Coody.	Pool.
Cox of Lamar.	Pope.
Cummings.	Powell.
Dale.	Purl.
Davis of Dallas.	Raymer.
Davis of Wood.	Renfro.
Dunn of Falls.	Robinson.
Farrar.	Rogers.
Finlay.	Rowland.
Florence.	Sanford.
Harper.	Sheats.
High.	Simmons.
Jacks.	Sinks.
Johnson.	Stautzenberger.
Jones.	Storey.
Justice.	Strong.
Kayton.	Thompson.
Kenyon.	Veatch.
King.	Walker.
Lane of Hamilton.	Wallace.
Lipscomb.	Webb.
Low.	Westbrook.
McBride.	Williamson.
McDougald.	Wilson.
McKean.	Woodruff.
Merritt.	Young.

Present—Not Voting.

Barron.	Kemble.
Chitwood.	Wade.

Absent.

Blount.	McFarlane.
Conway.	Morris.
Covey.	Nicholson.
Daniels.	Rice.
DeBerry.	Rowell.
Dunlap.	Runge.
Dunn of Hopkins.	Simpson.
Faulk.	Smith of Nueces.
Hollowell.	Smith of Travis.
Jordan.	Stevenson.
Loftin.	Teer.
Mankin.	Tomme.
Masterson.	Wester.

Absent—Excused.

Dinkle.	Hull.
Foster.	Stevens.

Mr. Bonham moved to reconsider the votes by which the bill and the committee amendment to the bill failed to pass to engrossment, and asked to have the motion to reconsider spread on the Journal.

Mr. Veatch called up the motion to reconsider and moved to table the motion.

Yeas and nays were demanded and

the motion to table was lost by the following vote:

Yeas—58.

Albritton.	Kinnear.
Alexander	Lipscomb.
of Bastrop.	Low.
Amsler.	Mankin.
Avis.	Maxwell.
Barker.	McBride.
Bateman.	McDougald.
Bird.	McKean.
Boggs.	Merritt.
Bryant.	Moore.
Cade.	Parish.
Carter.	Pavlica.
Coody.	Pearce.
Covey.	Pool.
Cox of Lamar.	Pope.
Cox of Navarro.	Powell.
Cummings.	Raymer.
Dale.	Robinson.
Davis of Wood.	Rowland.
Dunn of Hopkins.	Sanford.
Enderby.	Sheats.
Florence.	Simmons.
Harper.	Stautzenberger.
Johnson.	Storey.
Jones.	Thompson.
Justice.	Veatch.
Kayton.	Wallace.
Kemble.	Williamson.
Kenyon.	Wilson.
King.	Woodruff.

Nays—60.

Acker.	Irwin.
Alexander	Jacks.
of Limestone.	Jasper.
Atkinson.	Kittrell.
Baker of Orange.	Laird.
Baker of Panola.	Lane of Hamilton.
Barron.	Lane of Harrison.
Bartlett.	Loftin.
Bean.	Masterson.
Bedford.	McGill.
Bobbitt.	Montgomery.
Bonham.	Perdue.
Chitwood.	Petsch.
Davis of Dallas.	Poage.
Coffey.	Purl.
DeBerry.	Rawlins.
Dielmann.	Rogers.
Donnell.	Shearer.
Downs.	Sinks.
Durham.	Smyth.
Faulk.	Sparks.
Fields.	Stell.
Finlay.	Stout.
Frnka.	Strong.
Graves.	Taylor.
Gray.	Wade.
Hagaman.	Walker.
Hall.	Webb.
Harman.	Westbrook.
High.	Young.
Hoskins.	

Present—Not Voting.

Morris.

Rice.

Absent.

Blount.

Nicholson.

Brown.

Renfro.

Conway.

Rowell.

Daniels.

Runge.

Dunlap.

Simpson.

Dunn of Falls.

Smith of Nueces.

Farrar.

Smith of Travis.

Hollowell.

Stevenson.

Jordan.

Teer.

McDonald.

Tomme.

McFarlane.

Wells.

McNatt.

Wester.

Absent—Excused.

Dinkle.

Hull.

Foster.

Stevens.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 3, 1925.

Hon. Lee Satterwhite, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has agreed to concur in House amendments to Senate bill No. 361, and has passed

H. C. R. No. 23, Requesting the Governor to return House bill No. 218 for further consideration.

Respectfully,

MORRIS C. HANKINS,
Assistant Secretary of the Senate.

BILLS SIGNED BY SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

S. B. No. 115, "An Act to amend Title 8, Chapter 7, of the Code of Criminal Procedure of the State of Texas of 1911, by adding thereto Article 787a, providing that no evidence obtained by any officer or person by the violation of any provision of the Constitution of the State of Texas shall be admitted in evidence against the accused on the trial of any criminal case, and declaring an emergency."

S. B. No. 214, "An Act making appropriations to pay the salaries of members and employes, and other maintenance expenses of the State Board of Pardon Advisors for the eight months' period beginning January 1, 1925, and ending August 31, 1925, and declaring an emergency."

S. B. No. 82, "An Act to amend Sections 1 and 15 of Chapter 81 of the General Laws of the State of Texas, passed by the Fourth Called Session of the Thirty-fifth Legislature, approved April 3, 1918, creating the Commission of Appeals of the State of Texas, as amended by Chapter 34, of the General Laws of the State of Texas, passed by the Second Called Session of the Thirty-sixth Legislature, approved July 25, 1919, as amended by Chapter 119 of the General Laws of the State of Texas, passed by the Regular Session of the Thirty-seventh Legislature, approved March 31, 1921, as amended by Chapter 154 of the General Laws of the State of Texas, passed by the Regular Session of the Thirty-eighth Legislature, approved March 30, 1923, extending the term of said commission to the last Saturday in June, 1925, and providing for the appointment of judges for said extended term; providing for the extension of the term of said commission from the last Saturday in June, 1925, until the last Saturday in June, 1931, for the appointment of judges for said extended term; providing for the qualifications thereof, and fixing the salaries of the same and the manner of payment thereof, and declaring an emergency."

CONFERENCE COMMITTEE REPORT
ON SENATE BILL NO. 3.

Mr. Wells, Chairman, on the part of the House, submitted the following report of the Conference Committee on Senate bill No. 3:

Austin, Texas, February 27, 1925.

Hon. Barry Miller, President of the Senate; Hon. Lee Satterwhite, Speaker of the House of Representatives, Austin, Texas.

Sirs: We, your Conference Committee, appointed to adjust the differences between the House and Senate on

S. B. No. 3, A bill to be entitled "An Act declaring all wild animals, wild birds and wild fowl to be the property of the people of this State; to preserve, propagate, distribute and protect the wild game animals, wild game birds and fowls, and wild birds of this State; defining offenses, and prescribing penalties for the violations thereof; providing for the issuance of hunting licenses; providing for the appointment of deputy game, fish and oyster commissioners; prescribing their duties and compensations; making provisions for the creation of a special game fund, and appropriating the same for the purpose of

carrying out the provisions of this act; repealing certain laws, and all laws, general and special, in conflict herewith, and declaring an emergency."

Beg leave to report that we have had said bill under consideration and that we have adjusted the differences between the House of Representatives and the Senate on said bill and wish to recommend the passage of a substitute bill, which substitute bill is as follows, to wit:

A bill to be entitled "An Act declaring all wild animals, wild birds and wild fowl to be the property of the people of this State; to preserve, propagate, distribute and protect the wild game animals, wild game birds and fowls, and wild birds of this State; defining offenses, and prescribing penalties for the violations thereof; providing for the issuance of hunting licenses; providing for the appointment of deputy game, fish and oyster commissioners; prescribing their duties and compensations; making provisions for the creation of a special game fund, and appropriating the same for the purpose of carrying out the provisions of this act; repealing certain laws, and all laws, general and special, in conflict herewith, and declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. All wild animals, wild birds, and wild fowl within the borders of this State are hereby declared to be the property of the people of this State.

Sec. 2. Wild turkey, wild ducks of all varieties, wild geese of all varieties, wild brant, wild grouse, wild prairie chickens or pinnated grouse, wild pheasants of all varieties, wild partridges and wild quail of all varieties, wild pigeons of all varieties, wild mourning doves and wild white-winged doves, wild snipe of all varieties, wild shorebirds of all varieties, wild Mexican pheasants, or chachalacas, and wild plover of all varieties, are hereby declared to be game birds within the meaning of this act.

Sec. 3. Wild deer, wild elk, wild antelope, wild rocky mountain sheep, wild black bear, and wild gray and red squirrels, cat squirrels or fox squirrels, are hereby declared to be game animals within the meaning of this act.

Sec. 4. The term "Closed Season" shall, for the purpose of enforcement of the game laws of this State mean the period of time during which it is unlawful to hunt, kill, attempt to kill, or take any of the game animals, wild fowl, or birds enumerated in this act;

and the term "Open Season" shall mean the period of time in which it is lawful to hunt, kill, or take certain game animals, wild fowl, and game birds set forth in this act.

Sec. 5. In order to divide the State for the purpose of better regulating the open and closed seasons for the hunting of the wild game birds and wild game animals of this State, a line following the center of the main track of the International & Great Northern Railroad beginning at Laredo and running thence to San Antonio, thence to Austin, thence to Longview, and thence following the center of the main track of the Texas & Pacific Railroad to Texarkana, shall constitute a division of the North and South hunting zones of this State. All that portion of the State lying northwesterly of said line shall be known as the North Zone, and all that portion of the State lying southeasterly of said line shall be known as the South Zone.

Sec. 6. There shall be an open season, or period of time when it shall be lawful to hunt, take, or kill such of the game animals and game birds as are named in this section, as follows:

Wild mourning doves, in the South Zone, during the months of November and December of each year; in the North Zone, during the months of September and October of each year.

Wild white-winged doves, in both the North and South Zones, during the months of August and September.

Wild quail of all kinds, and wild Mexican pheasant or Chachalaca in the North Zone, November 16 to the following January 1, both days inclusive; in the South Zone, December 1 to the following January 16, both days inclusive.

Wild turkey gobblers, in both the north and south zones, November 16 to the following December 31, both days inclusive.

Wild rail (other than coot and gallinules), wild black-bellied plover and wild golden plover, and yellow-legs, the months of September and October of each year, in both the north and south zones.

Wild ducks of all kinds (except wild wood ducks), wild geese, wild brant, wild snipe of all kinds, wild gallinules and wild coot or mud hen, in the north zone, October 16 to the following January 31, both days inclusive; in the south zone, November 1 to the following January 31, both days inclusive.

Wild prairie chicken or pinnated grouse, in both the north and south

zones, September 1 to September 10, of each year, both days inclusive.

Wild buck deer, wild bear, in both the north and south zones, November 16 to December 31, each year, both days inclusive.

Wild red or fox squirrels and wild gray squirrel, in both the north and south zones, the months of May, June and July, and in the months of October, November and December of each year. Provided, however, that nothing in this act shall prevent the keeping of squirrels in cages as domestic pets; and provided further, that it shall not be unlawful to kill squirrels in the following named counties at any time, to-wit: DeWitt, Caldwell, Guadalupe, San Saba, Mason, Gillespie, Llano, Kimble, Menard, Comal, McCulloch, Brown, Kerr, Burnet, Mills, Schleicher and Edwards.

Sec. 7. It shall be unlawful to take, kill or possess any birds or animals in greater number than the daily, weekly or seasonal bag limit or number of such game birds and game animals permitted to be killed or taken, such bag limits to be as follows:

Wild mourning doves and wild white-winged doves, fifteen in any one day, and not more than forty-five in any one week of seven days.

Wild quail of all kinds, and wild Mexican pheasant or chachalaca, twelve in any one day, and not more than thirty-six in any one week of seven days, and all kinds and varieties of these shall be considered in making up the limit of twelve.

Wild turkey gobblers, three during the open season of any one year, as herein provided.

Wild geese and brant of all kinds, four in any one day, and not more than twelve in any one week of seven days.

Wild ducks of all kinds, wild snipe of all kinds, wild black-bellied plover, wild yellow-legs, wild gallinule or Indian hen, and wild coot or mud hen, twenty-five in any one day, and not more than fifty in any one week of seven days; provided, that all kinds and varieties of game birds mentioned in this section shall be considered in making up the daily limit of twenty-five or weekly bag limit of fifty.

Wild prairie chicken or pinnated grouse, five in any one day, and not to exceed ten in the open season of any one year.

Wild buck deer, two during the open season of any one year, as provided in this act.

Wild bear, one during the open sea-

son of any one year, as provided in this act.

Wild squirrel, ten in any one day.

Any person killing or taking more than the daily, weekly or seasonal bag limits as set forth in this section; or any person killing, taking, hunting, wounding or shooting at any game bird or game animal at any other time of the year, except during the open season as provided for in this act; or any person killing, taking, capturing, wounding or shooting at any game bird or game animal for which no open season is provided by this act, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in a sum of not less than ten (\$10) dollars nor more than two hundred (\$200) dollars; and each game bird or game animal unlawfully taken shall constitute a separate offense.

Sec. 8. It shall be unlawful for any person in this State to kill, catch, wound, take, shoot at or have in possession, living or dead, any wild bird other than a game bird. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum of not less than ten (\$10) dollars, nor more than two hundred (\$200) dollars.

Provided, however, that English sparrows, crows, ravens, vultures or buzzards, "rice-birds" identified as harmful, blackbirds, pelicans, roadrunners, and the goshawk, the Cooper hawk or blue darter, the sharp-shinned hawk, the duck hawk, jay birds, sap suckers, woodpeckers, butcher birds or shrike, and the great horned owl are not included among the birds protected by this section; and provided, further, that nothing in this section shall prevent the purchase and sale of canaries and parrots, or the keeping of same in cages as domestic pets.

Sec. 9. It shall be unlawful for any person to sell or offer for sale, or to buy or offer to buy, or to have in possession for sale, or to have in possession after purchase has been made (either by himself or by another), any wild bird, wild fowl, wild game bird, or wild game animal, dead or alive, or any part thereof, protected by this act, except as hereinafter provided. This section, and all other sections in this act, shall apply to any bird or animal coming from without this State; and in prosecutions for violations of this act it shall be no defense that such bird or animal was not taken or killed within this State.

It shall further be unlawful to bring into this State, for any purpose what-

ever, during the closed season or time when it is unlawful to possess such bird or animal, either alive or dead, any kind of bird or animal protected by this act, except as hereinafter provided.

Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum of not less than twenty-five (\$25) dollars nor more than two hundred (\$200) dollars; and the bringing in of each separate bird or animal protected by this act in violation of this section shall constitute a separate offense. Provided, that any person who shall buy any game bird or game animal, the sale of which is prohibited by this act, for the purpose of establishing testimony, shall not be prosecuted for such purchase, and a conviction may be had upon the uncorroborated testimony of such purchaser.

Sec. 10. It shall be unlawful for any person to take, kill, wound, shoot at, hunt or possess, dead or alive, any wild female deer, wild fawn deer or any wild buck deer without a pronged horn, or to possess any deer carcass or green deer hide with all evidence of sex removed.

Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum of not less than fifty (\$50) dollars, nor more than two hundred (\$200) dollars.

Sec. 11. It shall be unlawful for any person to take, kill, wound, shoot at, hunt or possess, dead or alive, any wild turkey hen at any season of the year except as hereinafter provided.

Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction, shall be fined in any sum not less than twenty-five (\$25) dollars nor more than one hundred (\$100) dollars.

Sec. 12. It shall be unlawful for any person to have in possession at any one time more than forty-five wild doves, or thirty-six wild quail, or thirty-six wild Mexican pheasants or chachalaca; or to have in possession at any one time more than fifty waterfowl, shorebirds, and other game birds, all kinds and varieties being considered in making up the one total of fifty; provided, that the provisions of this section shall not apply to transportation companies which have in their possession, for the purpose of transportation, such wild birds, where the provisions of this act with reference to shipment of game have been complied with; nor shall the provisions of this act apply to owners, agents, managers,

or receivers of cold storage plants which receive wild game for storage; provided, however, that it shall be unlawful for the owner, agent, manager, or receiver of such cold storage plant to receive or have in possession at any one time for himself or any one person more than the limits of the wild game birds as provided in this section.

Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum of not less than ten (\$10) dollars, nor more than two hundred (\$200) dollars. The possession of each bird or fowl over the number designated herein, shall be deemed a separate offense.

Sec. 13. The possession of any wild game bird, wild game fowl, or wild game animal mentioned in this act, whether dead or alive, during the time when killing or taking is prohibited shall be prima facie evidence of the guilt of the person in possession during the time when killing or taking is prevented by law.

Provided, however, that it shall not be unlawful to ship or bring any wild game birds, wild fowls, or wild game animals from the Republic of Mexico into this State at any season. Provided, that the party bringing the same into this State shall procure from the Game, Fish and Oyster Commissioner, or from one of his deputies, a permit to bring the same into the State, and shall procure from the United States custom officer at the port of entry a statement showing that such game was brought from the Republic of Mexico; and provided further, that such party comply with the provisions of this act regulating the shipment and sale of such wild game birds, wild fowls, or game animals.

Sec. 14. It shall be unlawful for any person to hunt, kill, or take, or to have in possession, within a period of five years from the passage of this act, any wild woodcock, wild wood duck, wild sandhill crane, or whooping crane, wild inca and ground dove, or wild pheasant, except as hereinafter provided. Any person violating any provision of this section shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not less than ten (\$10) dollars nor more than one hundred (\$100) dollars, and each bird killed or possessed in violation of this act shall constitute a separate offense.

Sec. 15. It shall be unlawful to kill, hunt or shoot at any wild bird, wild game bird, wild fowl, or wild game animal protected by this act at

any season of the year, between one-half hour after sunset and one-half hour before sunrise in any county in this State. Any person violating any provision of this section shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than twenty-five (\$25) dollars nor more than one hundred (\$100) dollars, and each bird or animal so killed shall constitute a separate offense.

Sec. 16. It shall be unlawful for any person to destroy or take the nest, eggs, or young of any wild game bird, wild bird, or wild fowl, protected by this act, except as provided herein. Any person violating any provision of this section shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than ten (\$10) dollars nor more than one hundred (\$100) dollars.

Sec. 17. It shall be unlawful to hunt, kill, or take any wild duck, goose, or brant, by any means other than the ordinary gun, not to exceed ten gauge, capable of being held to and shot from the shoulder. Any person violating any provision of this section shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than ten (\$10) dollars nor more than one hundred (\$100) dollars, and each bird or fowl taken or killed in violation of this section shall constitute a separate offense.

Sec. 18. Whenever any wild birds, wild fowl, or wild animals are destroying crops or domestic animals, the Game, Fish and Oyster Commissioner is hereby authorized to permit the killing of such wild birds or wild animals, without regard to the open or closed season, bag limit, or night shooting; but before such permission shall be granted, the Commissioner aforesaid shall be furnished with a statement of facts, sworn to by persons whose property is being injured, with the endorsement of the county judge of the county in which the crops are being destroyed or domestic animals being injured or killed, to the effect that the sworn statement is true, and that such crops or domestic animals can only be preserved by the granting of such permit. Such permit, when issued, shall distinctly state the time for which it is granted, the area which it covers, and a designation of the person or persons permitted to kill the noxious birds and animals named in such permit.

Such permit shall not authorize the

killing of migratory birds protected by the Federal Migratory Bird Treaty Act, unless the applicant shall first procure a permit from the United States Department of Agriculture, in compliance with the regulations of such migratory bird treaty act.

Sec. 19. All game birds, wild fowl, and game animals, named in this act, killed during the open season prescribed therefor, may be possessed during and for an additional ten days after such season is closed. But it shall be unlawful, after such ten days, to place in storage or keep in storage any wild birds, or wild game animals, or parts thereof, named in this act. Any person owning or claiming such birds, fowl, or animals, or parts thereof, after such ten days, or any person storing such birds, fowl, or animals, or parts thereof, for such claimant or owner, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum of not less than ten (\$10) dollars nor more than one hundred (\$100) dollars, and each bird, fowl or animal, or part thereof, stored in violation of this section shall constitute a separate offense.

Sec. 20. All wild birds, wild fowl, or wild game animals, or parts thereof, which have been killed, taken in any way, shipped, held in storage, or found in a public eating place, contrary to the provisions of this act, shall be disposed of by order of the Game, Fish and Oyster Commissioner, or one of his deputies, by donating same to charitable institutions, hospitals, or needy widows and orphans.

If such birds, fowl or animals mentioned in this section are required to be placed in cold storage, the expense of such storage shall, upon his conviction, be placed in a bill of cost against the defendant or person from whom they were taken.

The Game, Fish and Oyster Commissioner, or one of his deputies, when he has reason to suspect that the game-bag or automobile, or other receptacle, or vehicle, in the possession of or belonging to any person or persons, may contain game unlawfully killed, shall have the power, when search without such warrant is refused, to detain such person or persons until a search warrant may be obtained.

Sec. 21. Provided nothing in this act shall prevent the capture, by any means and at any time, day or night, of wild birds or wild fowl and their nests and eggs, or of wild animals or wild

quadrupeds, for zoological gardens or parks, or for propagation purposes, or for scientific purposes; but, before any birds, fowl, animals, quadrupeds, nests or eggs are taken or molested for the aforesaid purposes, permission must be secured from the Game, Fish and Oyster Commissioner only, by the person desiring so to operate, such person shall make application in the form of an affidavit, in duplicate, setting forth what birds, fowl, animals, quadrupeds, nests, or eggs he desires and the purposes for which he desires the same; and if such request is for the collection of skins, nests or eggs for scientific purposes, such application should be accompanied by certificates from two well-known ornithologists (where the specimens are birds or their nests or eggs) or mammalogists (where the specimens are animals or quadrupeds) residents of the United States, stating that the applicant is a fit person to be entrusted with such a permit and that they have known him for at least five years past, and the applicant should further be supplied with a Federal scientific collecting permit issued by the Bureau of Biological Survey of the United States Department of Agriculture, permitting him or her to collect migratory birds, and the serial number and date of said Federal permit should be furnished by the applicant on said affidavit, where request is made for the collecting of birds and their nests or eggs. Such scientific collecting permit as issued by the State of Texas will authorize the holder thereof to take, possess and transport, in any manner and at any time, birds and their nests and eggs, for scientific purposes; provided, that before migratory birds or their nests or eggs are taken, the Federal permit indicated above must be obtained. Such scientific permit shall be issued for the fiscal year and shall be null and void after midnight of December 31 of the year issued.

If any person desires to bring into the State any wild birds or wild animals, dead or alive, or the nests or eggs of any bird, he shall apply to the Game, Fish and Oyster Commissioner for permission to do so, attaching to such application an affidavit setting forth the number and species of birds or animals, or the nests or eggs of birds, desired to be introduced.

The Game, Fish and Oyster Commissioner may refuse to issue permits for any of the purposes set forth in this section if, in his judgment, such application, or party making same, is not satisfactory.

The Game, Fish and Oyster Commissioner is empowered to prescribe rules and regulations governing the propagation of game birds and animals, and the taking of birds and animals for scientific purposes, and is authorized to cancel any permit issued, when, in his judgment, the holder thereof fails or refuses to comply with such rules and regulations.

The shipment of skins of protected animals, or the skins or nests or eggs of birds, each package shall have clearly and conspicuously marked, on the outside thereof, the name and address of the sender, the number of the sender's permit, and the statement that it contains specimens of animals, or of birds or their nests or eggs for scientific purposes. A person operating under, or holding a permit for scientific collecting shall report, on or before January 10, following the expiration of his permit, to the Game, Fish and Oyster Commissioner, the number of skins, nests or eggs of each species collected or transported, together with the disposition of all such specimens not in his possession at the time of making said report, and also a statement covering any scientific data observed during his field collecting that, in his judgment, would be of interest to the ornithological or zoological public.

The Game, Fish and Oyster Commissioner shall, at all times, have the power to take in any manner, keep and transport, anywhere within the State, any of the wild birds or their nests or eggs, or any wild animals, for investigation, propagation, distribution or scientific purposes.

Any person violating any provision of this section shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than twenty-five (\$25) dollars nor more than two hundred (\$200) dollars; and each bird, fowl, animal, quadruped, nest or egg, taken or possessed in violation of this section, shall constitute a separate offense.

Sec. 22. Any person shall have the right to ship or carry to and from a taxidermist or tannery, for mounting or preserving purposes, or to his home, any specimen or part of specimen of the wild birds or wild animals of this State, where same have been lawfully taken or killed by such person, and when such specimens or parts of specimens are not for sale, but before making shipment as herein provided, such person shall first make the following affidavit in writing before some officer authorized to administer oaths, and deliver same to

the common carrier transporting same, or its agent:

State of Texas,
County of

Before me, the undersigned authority, on this day personally appeared..... who, after being duly sworn, upon oath says: I live at..... in the county of..... State of..... that I have personally killed....., which I desire to ship from..... to..... county, to..... State of..... which I have lawfully killed for my own use and not for sale, and which shall not be bartered or sold; that I have not killed during the present hunting season more than the bag limit, as provided by law, of any of the wild game birds, wild fowl, or wild animals.

Signature

Sworn to and subscribed before me this..... day of..... A. D. 192..

Office held.....

The affidavit thus prepared by the affiant shall be attached to the shipment, and shall not be removed during the period of transportation. If such game is carried by the person killing same, it shall not be necessary to attach the affidavit herein set forth.

Any person who so ships any game from any place within this State without making the foregoing affidavit; or any agent of any express company or other common carrier who receives any shipment without it being accompanied by such affidavit and list attached; or any auditor or conductor or other person in charge of any railroad train, who knowingly permits any person to carry any wild birds, wild fowl or wild animals without such affidavit being made, as herein provided, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum of not less than ten (\$10) dollars nor more than one hundred (\$100) dollars.

All express agents, conductors, and auditors of trains, captains of boats, and the Game, Fish and Oyster Commissioner and his deputies are hereby empowered to administer oaths necessary to the shipment of game, and for administering such oaths they are hereby authorized to collect the sum of twenty-five (25c) cents from the person making such oath.

Sec. 23. It shall be unlawful for any person to hire or employ any other person, or to be hired or employed by any other person, by the payment, or by the promise of payment, of money or any

other thing of value, to hunt any bird, wild fowl, or game animal protected by this act. Any person violating any of the provisions of this section shall be deemed guilty of misdemeanor, and upon conviction shall be fined in any sum of not less than twenty-five (\$25) dollars, nor more than two hundred (\$200) dollars. Provided, that if any person who has received money, or a promise of money or other thing of value, to hunt any wild bird, wild fowl, or game animal protected and mentioned in this act, testifies against the person employing him, all prosecutions against him in the case in which he testifies shall be dismissed.

Sec. 24. It shall be unlawful for any person at any time of the year to hunt deer or any other animal or bird protected by this act, by the aid of what is commonly known as a headlight or hunting-lamp, or by artificial light attached to an automobile, or by the means of any form of artificial light. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum of not less than fifty (\$50) dollars nor more than two hundred (\$200) dollars, or by confinement in the county jail for not less than thirty (30) days nor more than ninety (90) days, or by both such fine and imprisonment. The possession of a headlight, or any other hunting light used on or about the head when hunting at night, between sunset and one-half hour before sunrise, by any person hunting in a community where deer are known to range, shall be prima facie evidence that the person found in possession of said headlight, or other hunting light, is violating the provisions of this section.

Sec. 25. It is hereby declared unlawful for any person or persons to make use of a dog or dogs in the hunting or pursuing or taking of any deer. Any person or persons owning or controlling any dog or dogs, and who permits or allows such dog or dogs to run, trail, or pursue any deer at any time, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum of not less than twenty-five (\$25) dollars and not more than two hundred (\$200) dollars.

Provided, that nothing in this section shall prohibit the use of only one dog in pursuit of a wounded buck deer during the open season on buck deer as provided by this act; and provided further, that this section shall not apply to the counties of Grimes, Madison, San

Jacinto, Montgomery, Walker, Houston, Leon, Polk, Trinity, Harris, Brazoria, Fort Bend, Burleson, Lee, Brazos, Robertson, Matagorda, Washington and Wharton.

Sec. 26. It is hereby declared unlawful for any person at any time and in any manner to hunt, take, capture, or kill, or attempt to hunt, take, capture, or kill any of the wild game birds, wild game fowl, or wild game animals, protected by the laws of this State, from an automobile, an airplane, a powerboat, a sailboat, any boat under sail, or any floating device towed by powerboat or sailboat. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in a sum not less than twenty-five (\$25) dollars nor more than two hundred (\$200) dollars.

Sec. 27. It is hereby declared unlawful for any person owning or navigating a sailboat or powerboat, to receive on board such boat for pay any person or persons engaged in hunting, before such person owning or navigating such boat shall have applied for and received a license from the Game, Fish and Oyster Commissioner, or one of his deputies, granting him the right for one year, to receive and carry on his boat persons engaged in hunting. Before such license is issued, the person applying for it shall pay to the Game, Fish and Oyster Commissioner, or one of his deputies, the sum of two (\$2) dollars, and shall file with such Game, Fish and Oyster Commissioner, the name of his vessel, her accommodations for passengers, and the number of her crew, and shall file with the Game, Fish and Oyster Commissioner, or one of his deputies, an affidavit to the effect that he will not violate any of the provisions of this act, and will endeavor to prevent any one whom he carries on his boat from violating any of the provisions of this act, and that he will not carry any hunter on his boat who does not possess a hunting license. Whenever any boat owner or navigator fails or refuses to comply with any of the provisions of this section, the Game, Fish and Oyster Commissioner is authorized and empowered to cancel his license without a refund or return of the license fee paid; and no license shall be renewed or issued to him thereafter for a period of one year.

Any person who carries out any hunting parties for reward or pay of any kind without first having procured his

license, as provided in this section, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum not less than ten (\$10) dollars nor more than one hundred (\$100) dollars.

Sec. 28. It is hereby declared unlawful for any person or persons, who may be acting as manager of any club, or the owner of any club, or shooting resort or shooting preserve, or lessor of premises leased for hunting purposes, to receive or accommodate as a guest or member of said club, or shooting resort, or shooting preserve, or lessee of premises leased for hunting purposes, for pay, any person or persons engaged in hunting, before such manager of such club, shooting resort, shooting preserve, or premises leased for hunting purposes, shall have applied for and received a license from the Game, Fish and Oyster Commissioner, or one of his deputies, granting him the right for the year beginning September 1 and ending August 31, following, to receive and accommodate at such club, shooting resort, shooting preserve, or premises leased for hunting purposes.

Before such license is issued the person applying for same shall pay to the Game, Fish and Oyster Commissioner the sum of five (\$5) dollars, and shall file with the Game, Fish and Oyster Commissioner the name of said club, shooting resort, shooting preserve or premises leased for hunting purposes, and shall file with the Game, Fish and Oyster Commissioner an affidavit that he will not violate any of the provisions of this section and will endeavor to prevent guests of said club, shooting resort, shooting preserve or premises, leased for hunting purposes, from doing so, and that no guest will be accommodated who has not previously secured a hunting license.

All such managers of clubs, shooting resorts, shooting preserves and premises leased for hunting purposes shall be required to keep a suitable record book and each guest or member shall be required to register, showing his name and place of residence, license number, and a record of each day's kill of different birds and game, and a complete record must be made to the Game, Fish and Oyster Commissioner by such manager of club, shooting resort, shooting preserve or premises leased for hunting purposes, not later than February 10 of each year.

Whenever any manager of any club,

shooting resort, shooting preserve or premises leased for hunting purposes, fails or refuses to comply with any of the provisions of this section the Game, Fish and Oyster Commissioner is authorized and empowered to cancel his license without refund or return of the license fee, and no license shall be renewed or issued to such party, or parties, thereafter for a period of one year.

Any manager of any club, shooting resort, shooting preserve or premises leased for hunting purposes, who accommodates hunters for reward, without first having secured the necessary license as provided in this section, or failing to comply with all the provisions thereof, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined the sum of not less than one hundred (\$100) dollars, nor more than two hundred (\$200) dollars, or by imprisonment in the county jail for not more than ninety (90) days, or by both such fine and imprisonment. Such fines shall be placed to the credit of the special game fund.

For the purposes of carrying out the provisions of this section, it shall be the duty of the Game, Fish and Oyster Commissioner to have prepared and to furnish to all deputy game commissioners blank license with stubs attached, numbered serially, such license to be called "Shooting Preserve License," such shooting preserve license shall have printed across the face the year for which it is issued, shall bear the name and address of the licensee, name of club, character of game found on such preserve or lease, and the expiration date of such license. Said license must bear the seal of the Game, Fish and Oyster Commissioner, and must be signed by the Commissioner or one of his deputies. On the reverse side of said license shall be printed the open seasons and bag-limit, as provided in this act.

Sec. 29. It shall be unlawful for any citizen of this State to hunt with a gun in this State, except land owners and their children, and tenants and their children upon the farm or ranch lands of which they are owners or occupants, without first having procured from the Game, Fish and Oyster Commissioner, or one of his deputies, or from a county clerk a license to hunt. It shall also be unlawful for any non-resident of this State, or for any alien, to hunt with a gun in this State, without first having procured from the Game, Fish and Oyster Commissioner, or one of his depu-

ties, or from a county clerk, a license to hunt.

The fee for a hunting license authorizing a person to hunt within the limits of the State of Texas shall be two (\$2) dollars, and the fee for a license authorizing a person to hunt exclusively within the county of his residence shall be one (\$1) dollar; fifteen (15c) cents of the two dollar license and ten (10c) of the one dollar license shall be retained by the officers issuing such license as his fee for collecting, issuing and making report on license so issued and for remitting the remainder to the Game, Fish and Oyster Commission. The fee for a non-resident citizen or alien hunting license shall be twenty-five (\$25) dollars; three (\$3) dollars of such amount shall be retained by the officer issuing such license as his fee for collecting, issuing and making report on license so issued and for remitting the remaining twenty-two (\$22) dollars to the Game, Fish and Oyster Commission.

Any person hunting with a gun out of the county of his residence without a license authorizing him to hunt out of the county of his residence, or any person hunting with a gun in this State within the county of his residence without a hunting license, or any person who fails or refuses on demand by any officer to show such officer his hunting license required of him by this section, shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not less than ten (\$10) dollars, nor more than one hundred (\$100) dollars.

Provided, that land owners and their children, and their tenants and children, may hunt, without a license, upon the farm or ranch lands of which they are the owners or occupants.

Provided, also, that the provisions of this section requiring hunting license shall not apply to persons under seventeen years of age.

Sec. 30. Any person convicted of violating any provision of the game laws of this State shall thereby automatically forfeit his license for said season; and, provided further, that any such person so convicted of violating the game laws shall not be entitled to receive from the State a license to hunt for one year immediately following the date of his conviction; and it shall be unlawful for any person who is convicted of violating any of the provisions of the game laws of this State to purchase or possess a hunting license for a period of one year immediately following date of such con-

viction; and it shall also be unlawful for any person convicted of violating any of the game laws of this State to hunt with a gun in this State for a period of one year immediately following date of such conviction.

Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not less than one hundred (\$100) dollars, nor more than two hundred (\$200) dollars.

Sec. 31. Any person who shall hunt under the license issued to any other person, or any person who shall permit any other person to hunt under a license issued to him, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum of not less than ten (\$10) dollars nor more than one hundred (\$100) dollars.

Sec. 32. All hunting licenses issued shall have printed across their faces the year for which they are issued; they shall bear the name and address or residence of the person to whom issued, and shall give the approximate weight, height, age, color of hair, and color of eyes of such person, in order that proper identification may be had in the field, and shall have printed thereon a statement, to be subscribed to in ink by the person to whom issued, that such person will not exceed in any one day the bag limit as printed on the license. Such license shall be dated on the date of issuance, and shall remain in effect until the last day of August thereafter; provided, that non-resident or alien hunting licenses shall have printed thereon the following: "This license does not entitle the holder thereof to hunt upon the enclosed and posted lands of another without the consent of the owner or agent."

Sec. 33. The county clerk of each county in this State, is hereby authorized to issue hunting licenses under his official seal, to all persons complying with the provisions of this act, and shall fill out correctly and preserve for the use of the Game, Fish and Oyster Commissioner, the stubs attached thereto; and the county clerk shall keep a complete and correct record of hunting licenses issued, showing the name and place of residence of each license and the serial number and date of the license issued. Said license stubs and unused licenses shall be open at all times to inspection by any game deputy or any peace officer; and the county clerk shall, within ten days after the close of each calendar month, make out a de-

tailed report under the seal of his office, showing the serial number and date of each license issued during the month covered by the report, and the name and address of the person to whom issued, and shall forward such report, with remittance of fees due the State, to the Game, Fish and Oyster Commissioner at Austin, and said Commissioner shall credit such county clerk with the amount so remitted. As soon as possible after the licenses in a license book have all been issued, and only the stubs remain therein, such county clerk shall forward such used license book to the Game, Fish and Oyster Commissioner at Austin, in order that such Commission may furnish necessary information regarding holders of licenses to any officers in the State.

Sec. 34. It shall be the duty of the Game, Fish and Oyster Commissioner to keep in his office, at Austin, a complete list of the license fees and fines collected; said records shall be kept open for inspection of the State Comptroller and of the public. At the close of each calendar month the Game, Fish and Oyster Commissioner, shall file with the Comptroller, a report in writing, showing all fines, licenses, and other fees collected, their disposition, and any other particulars which he may deem proper.

Sec. 35. All license fees and hunting-boat registration fees collected under this act, and all fines and penalties and forfeitures of bonds imposed and collected for violation of any of the provisions of this act, shall belong to the special game fund of this State, and shall be paid over by the Game, Fish and Oyster Commissioner to the State Treasurer during the first week of each month, and shall be credited to such special game fund; and such fund shall be used solely for the purpose of wild bird and game protection; for the creation, purchase, and maintenance of game sanctuaries and public hunting ground; for the purchase, introduction, propagation, and distribution of game and wild birds; for the dissemination of information pertaining to the conservation and economic value of wild animal life; and in the employment of special deputy game commissioners, payment of their necessary expenses and the purchase and supply of means to enable the Game, Fish and Oyster Commissioner and his deputies to enforce the game laws of this State. All expenditures shall be verified by affidavit to the Game, Fish and Oyster Commissioner; and on the approval of such expenditures by the Game, Fish and Oyster Commis-

sioner, it shall be the duty of the Comptroller of the State to draw his warrant on the Treasurer of the State for the amount of such expenditures in favor of the person claiming the same, such warrant to be paid out of the special game fund. All moneys and all balances now in such fund from moneys already paid into the State Treasury, or that may hereafter be paid into said fund through or because of this act, are made available as soon as paid into the State Treasury, and are hereby specifically appropriated to the use of the Game, Fish and Oyster Commissioner for the several purposes herein specified, except no expenditures may be made from this fund for land or other real estate only upon the authorization of a majority vote of a council composed of Game, Fish and Oyster Commissioner, the Attorney General of Texas, and the State Comptroller, who shall act on this council during their respective terms of office.

Sec. 36. The Game, Fish and Oyster Commissioner and his deputies shall have the same power and authority as sheriffs to serve criminal processes in connection with cases growing out of the violations of this act, shall have the same power as sheriffs to require aid in executing such process, and shall be entitled to receive the same fees as are provided by law for sheriffs in misdemeanor cases.

Said commissioner or any of his deputies may arrest without a warrant any person found by them in the act of violating any of the laws for the protection and propagation of game, wild birds or fish, and take such person forthwith before a magistrate having jurisdiction. Such arrests may be made on Sunday, and in which case the person arrested shall be taken before a magistrate having jurisdiction, and proceeded against as soon as may be, on a week day following the arrest.

Sec. 37. It is hereby made a special duty of the Game, Fish and Oyster Commissioner to enforce the statutes of this State for the protection and preservation of wild game and wild birds; and to bring, or cause to be brought, actions and proceedings in the name of the State of Texas, to recover any and all fines and penalties provided for in the laws now in force, or which may hereafter be enacted, relating to wild game and wild birds. Said Game, Fish and Oyster Commissioner may make complaint and cause proceedings to be commenced against any person for violating any of the laws for the protection and

propagation of game or birds without the sanction of the county attorney of the county in which such proceedings are commenced; and in such cases he shall not be required to furnish security for costs.

Sec. 38. The salary of the Game, Fish and Oyster Commissioner shall be thirty-six hundred (\$3600) dollars per annum, said salary to be paid to him out of the special game fund provided for in this act.

Sec. 39. It shall be the duty of the Game, Fish and Oyster Commissioner to appoint special deputy game commissioners, who shall be ex-officio deputy game, fish and oyster commissioners to enforce conservation laws in the various districts of the State, with all the powers of the latter to enforce the game, fish and oyster laws of this State. Such special deputy game commissioners shall not receive more than one hundred and fifty (\$150) dollars per month and expenses. Each special deputy game commissioner shall take the oath of office, and shall give a good and sufficient bond in the sum of one thousand (\$1000) dollars for the faithful performance of his duties, such bond to be approved by and filed with the Game, Fish and Oyster Commissioner. Such special deputy game commissioners shall hold office at the discretion of the Game, Fish and Oyster Commissioner, and shall have all the power in the discharge of their duties as are conferred on the Game, Fish and Oyster Commissioner.

The Game, Fish and Oyster Commissioner, in order to enforce conservation laws in the various sections of the State, shall also have the power to appoint deputy game commissioners in any county of the State; and said deputies shall have, in the discharge of their duties, the same powers and authority as are herein provided for the Game, Fish and Oyster Commissioner, and shall be subject to the supervision and control of and removal by said Game, Fish and Oyster Commissioner, except that they shall not be authorized to carry on or about their person, saddle, or saddlebags, any pistol, dirk, dagger, slungshot, sword, cane, spear or knuckles made of any metal or any hard substance, bowie knife or other knife manufactured or sold for the purpose of offense or defense. Such deputy game commissioners shall not receive more than three (\$3) dollars a day for each day of service performed, together with all necessary expenses incurred, when same have been rendered on sworn account, and when the performance of said services was authorized by

the Game, Fish and Oyster Commissioner, the chief deputy commissioner, or a special deputy game commissioner, which account shall be approved by the Game, Fish and Oyster Commissioner or chief deputy commissioner, and paid on warrant drawn by the Comptroller.

Sec. 40. All special deputy game commissioners and deputy game commissioners are hereby empowered and required to enforce the game, fish and oyster laws of this State, and such deputy who violates such laws shall be deemed guilty of a misdemeanor, and upon conviction shall be fined in any sum of not less than one hundred (\$100) dollars nor more than two hundred (\$200) dollars.

Sec. 41. The Game, Fish and Oyster Commissioner shall appoint a chief deputy commissioner, who shall maintain an office in the Capitol of this State; and said chief deputy commissioner shall take the constitutional oath of office, and shall act as general assistant to said Game, Fish and Oyster Commissioner; and, during the absence, sickness, or disability of the Commissioner, he shall exercise the duties of said Commissioner. Said chief deputy commissioner shall devote his entire time to the work of his office. The chief deputy game, fish and oyster commissioner shall, before assuming the duties of his office, file with the Secretary of State a good and sufficient bond in the sum of five thousand (\$5000) dollars, conditioned on the faithful performance of the duties of his office, which bond shall be approved by the Game, Fish and Oyster Commissioner. It shall be the duty of the chief deputy game, fish and oyster commissioner to prepare and furnish to each county clerk, blank hunting licenses, with stubs attached, numbered serially; and said chief deputy commissioner shall cause an account to be opened in his office with each county clerk; and charge said clerk with the number of licenses furnished him. He shall also open an account with each deputy of the Game, Fish and Oyster Commissioner and charge such deputy with the number of licenses furnished him. Said accounts shall show the serial numbers of such licenses.

Sec. 42. It shall be the duty of any justice of the peace, clerk of any court, or any other officer of this State, receiving any fine or penalty imposed by any court for violation of any of the laws of this State pertaining to the protection and conservation of wild birds,

wild fowl, wild animals, fish, oysters, and other wild life, within ten days from and after the receipt or collection of such fine or penalty, to remit same to the Game, Fish and Oyster Commissioner at Austin, giving docket, number of case, name of person fined, and section or article of the law under which conviction was secured, when such laws are required to be enforced by the Game, Fish and Oyster Commission.

Sec. 43. Any person, firm or corporation owning and in possession of lands in the State of Texas, may transfer by an instrument of writing, duly acknowledged before an officer authorized under the laws of this State to take acknowledgments, to the State of Texas the right to preserve, protect and introduce for propagation purposes any of the game birds or game animals mentioned in this act on the lands mentioned therein, for a period of not less than ten years. Such instrument of writing shall be filed in the office of the Game, Fish and Oyster Commissioner, whereupon the Game, Fish and Oyster Commissioner may at his discretion declare the lands described in said instrument a State game preserve and thereafter for a period named therein shall for all the purposes relating to the preservation, protection and propagation of game birds and game animals be under the control of the Game, Fish and Oyster Commissioner. Providing that the aggregate acreage of all preserves which may be designated in any one county shall never exceed ten per cent of the total acreage of such county. Such preserves shall be numbered in the order of the filing of the instrument therefor. The Game, Fish and Oyster Commissioner shall cause notices to be prepared containing the words "State Game Preserve," "Trespassing Prohibited," and to cause such notices to be posted at each gate or entrance thereto. All State game preserves established under the provisions of this act shall for all purposes of preservation, protection and propagation of game birds and game animals thereon be under the control and management of the Game, Fish and Oyster Commissioner and he and his deputies may at all times enter in and upon such preserves in the performance of their duties.

It shall be unlawful for any person to hunt, pursue, shoot at, kill, take, destroy, or in any manner molest any of the game birds or game animals within the exterior boundaries of any game preserve and any person who shall violate any provisions of this act shall

be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than fifty (\$50) dollars nor more than two hundred (\$200) dollars.

Sec. 44. It shall be the duty of the Game, Fish and Oyster Commissioner and his deputies, in addition to their duties provided for in this act, to caution sportsmen and other persons while in the woods, marshes, or prairies of the State of danger from fire; and, to the extent of their power, to extinguish all fires left burning by any one, and to give notice, when possible, to any and all persons interested, of fires ranging beyond control to the end that same may be controlled and extinguished.

Sec. 45. The Game, Fish and Oyster Commissioner and his deputies shall at all times have the power to enter upon any lands or water where wild game or fish are known to range or stay for the purpose of enforcing the game and fish laws of this State, and for the purpose of making scientific investigations or for research work as to such wild game or fish and no action in any court shall be sustained against the Commissioner or any of his deputies to prevent their entrance upon lands or waters when acting in their official capacity as herein set forth.

Sec. 46. For the purpose of this act any person, except an alien, who has been a bona fide resident of this State for a period of time exceeding six months, continuously and immediately before applying for a hunting license, shall be considered a citizen of this State.

An alien is any person who is not a natural-born citizen of the United States of America, or who has not declared his intention to become a citizen of the United States of America.

A non-resident shall be any person who is a citizen of any other State, or who has not continuously or immediately previous to the time applying for a hunting license, been a bona fide resident of the State of Texas for a period of time more than six months.

Sec. 47. That Articles 874 to 900, inclusive, of the Penal Code of 1911; and Articles 4022 to 4042, inclusive, of the Revised Civil Statutes of 1911; and Chapter 123, Acts Regular Session, Thirty-fourth Legislature, amending law relating to quail and doves in Penal Code, 1911, by adding Articles 889a and 889b; and Chapter 22 of the General Laws passed at the First Called Session of the Thirty-fourth Legislature;

and Chapter 7 of the General Laws, passed at the First Called Session of the Thirty-fifth Legislature; and Chapter 8 of the General Laws passed at the Third Called Session of the Thirty-fifth Legislature; and Chapter 72 of the General Laws passed at the Second Called Session of the Thirty-sixth Legislature, and Chapter 157 of the General Laws, passed at the Regular Session of the Thirty-sixth Legislature; and Chapter 72 of the General Laws passed at the Regular Session of the Thirty-seventh Legislature; and Chapter 85 of the Special Laws passed at the Regular Session of the Thirty-seventh Legislature; and Chapter 35 of the General Laws passed at the First Called Session of the Thirty-seventh Legislature; and Chapter 7 of the Special Laws passed at the Fourth Called Session of the Thirty-sixth Legislature; and Chapter 84 of the General Laws passed at the Regular Session of the Thirty-eighth Legislature, and Chapter 14 of the General Laws passed at the First Called Session of the Thirty-eighth Legislature, are hereby specifically repealed, and all other laws and parts of laws in conflict herewith, be and the same are hereby repealed.

Sec. 48. If any paragraph, section, or part of this act shall be held unconstitutional or inoperative, it shall not affect any other paragraph, section, or part of this act; and the remainder of this act, save the part declared unconstitutional or inoperative, shall continue to be in full force and effect.

Sec. 49. It shall be unlawful for any person to take, kill, wound, shoot at, hunt for, or possess, dead or alive, any wild turkey gobbler, or turkey hen in the counties of Cameron, Hidalgo, Starr, Willacy, Kennedy, Brooks, Kleberg and Nueces until November 16, 1930, from and after which time it shall be lawful to kill only turkey gobblers as herein provided in this bill.

Sec. 50. This bill shall be known as the "Boyd-Hubby Game Bill" and shall take effect and be in force from and after September 1, 1925.

Sec. 51. The fact that there are now no adequate laws for the preservation, propagation and protection of the wild game animals and birds of this State, which are rapidly disappearing, and that fair and just law enforcement can not be had under the existing statutes for the protection of wild birds and animals, creates an emergency and an imperative public necessity that the

constitutional rule requiring bills to be read on three several days be suspended, and said rule is hereby suspended.

Respectfully submitted,
SANFORD,
WELLS,
PETSCH,
STOREY,

On the part of the House.
WOOD,
REAL,
WIRTZ,
HARDIN of Erath,
PRICE,

On the part of the Senate.

Mr. Laird moved that the Free Conference Committee report on Senate bill No. 3 be not accepted, and that the committee be instructed to place Section 17 in the bill as it was as amended by the House.

On motion of Mr. Purl, further consideration of the report was postponed until 3 o'clock p. m. next Friday.

CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 46.

Mr. Sinks, chairman, submitted the following report of the Conference Committee on Senate bill No. 46:

Committee Room,
Austin, Texas, March 3, 1925.

Hon. Barry Miller, President of the Senate, and Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed by your respective bodies to consider the amendments of the House to Senate bill No. 46, have had the same under consideration and beg to report as follows:

First: Amend the caption of the engrossed bill, line 15, by striking out the word "constituting" and insert in lieu thereof the word "converted."

Second: Amend Section 1 of the engrossed bill, line 10, by inserting the word "such" between the words "other" and "share" in said line.

Third: Amend Section 3 of the engrossed bill, line 4, by inserting the word "or" after the word "thereof" in said line, and by changing the comma after the word "thereof" to a semicolon, and by placing a comma after the word "or."

Fourth: Amend Section 4 of the engrossed bill, at the end of said section, by changing the period to a semicolon, and by adding to said section of the engrossed bill, the following:

"Provided further that in no event the

amount so paid shall be less than \$25,000."

Fifth: Amend Section 6 of the engrossed bill, page 6, line 12, on said page, by changing the word "when" in said line to the word "then."

Sixth: Amend Section 8 of the engrossed bill, line 9, by changing the word "large" in said line to "larger;" and by changing the words "constituted" in said Section 8 of the engrossed bill, lines 22 and 27, to the word "converted" in each of said lines in said section.

Seventh: We recommend the adoption of and do adopt the amendment offered by the House, by adding to Section 12 of the engrossed bill, the following:

"Provided that nothing in this act shall be construed to in any way exempt the sale of such par value stock or non-par value stock from the operation and control of the Blue Sky Law of this State as the same now exists or may hereafter be amended."

Eighth: We recommend that the House recede from its action in adopting the amendment offered by the House by adding to said bill, Section 13a, reading:

"Provided that for the purpose of incorporation fifty per cent of the authorized capital, based upon the shares being of the par value of \$100 per share, shall be paid in as is now provided by law, unless upon such basis the authorized capital exceed \$200,000 in which event ten per cent shall be paid in."

With these amendments, changes and recommendations, we respectfully submit that Senate bill No. 46, with the amendments herein stated and provided, and with the recommendations herein made, should be adopted and do pass.

Respectfully submitted,
HOLBROOK,
BOWERS,
WARD,
WIRTZ,
BAILEY,

On the Part of the Senate.
WADE,
HALL,
BARRON,
SANFORD,
SINKS,

On the Part of the House.

On motion of Mr. Sinks, the report was adopted.

HOUSE BILL NO. 161 WITH SENATE AMENDMENTS.

Mr. Young called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 161, A bill to be entitled

"An Act prohibiting the employment of children under fifteen years of age to labor in certain occupations; prohibiting the employment of children under seventeen years of age to labor in certain occupations; prohibiting the sending of children under seventeen years of age to certain places; limiting the hours of labor for children under fifteen years of age; providing for permits to be issued by the county judge for children between the ages of twelve and fifteen years to labor in certain occupations and under certain conditions; requiring employers employing children between the ages of twelve and fifteen to secure and post permits where a child is employed; providing how such permits may be secured; giving the Commissioner of Labor Statistics, or his deputies or inspectors, free access to all places where children or minors are employed; providing penalties for violations of the act, and repealing all laws and parts of laws in conflict with the act, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Young, the House concurred in the Senate amendments.

MOTION FOR SPECIAL ORDER.

Mr. Dale moved that Senate bill No. 252 be set as a special order for 2 o'clock p. m. tomorrow.

Mr. Purl moved as a substitute that Senate bill No. 252 be set as a special order for 2 o'clock p. m. next Thursday.

Mr. Dale moved to table the motion by Mr. Purl.

Yeas and nays were demanded and the motion to table prevailed by the following vote:

Yeas—79.

Acker.	Cox of Lamar.
Albritton.	Cox of Navarro.
Alexander	Dale.
of Limestone.	Davis of Dallas.
Amsler.	Davis of Wood.
Barker.	DeBerry.
Barron.	Dielmann.
Bartlett.	Downs.
Bateman.	Dunn of Falls.
Bean.	Enderby.
Bird.	Farrar.
Bobbitt.	Frnka.
Brown.	Graves.
Bryant.	Gray.
Cade.	Hagaman.
Chitwood.	Hall.
Coffey.	High.
Coody.	Hollowell.
Covey.	Hoskins.

Jacks.	Robinson.
Jasper.	Rogers.
Johnson.	Rowland.
Jones.	Sanford.
Justice.	Shearer.
Kayton.	Sheats.
Kemble.	Simmons.
Kenyon.	Smith of Nueces.
Laird.	Sparks.
Loftin.	Storey.
Low.	Stout.
McBride.	Strong.
McDougald.	Thompson.
McGill.	Walker.
Montgomery.	Wallace.
Moore.	Webb.
Pavlica.	Westbrook.
Pearce.	Wester.
Perdue.	Wilson.
Pope.	Woodruff.
Powell.	Young.
Rawlins.	

Nays—37.

Alexander	Lane of Hamilton.
of Bastrop.	Lipscomb.
Atkinson.	Mankin.
Avis.	Masterson.
Baker of Panola.	Maxwell.
Bedford.	McDonald.
Boggs.	McKean.
Bonham.	Merritt.
Carter.	Parish.
Cummings.	Poage.
Donnell.	Purl.
Dunn of Hopkins.	Raymer.
Durham.	Rice.
Fields.	Stautzenberger.
Florence.	Stell.
Harper.	Taylor.
Irwin.	Tomme.
King.	Veatch.
Kittrell.	Wade.

Present—Not Voting.

Sinks.

Absent.

Baker of Orange.	Nicholson.
Blount.	Petsch.
Conway.	Pool.
Daniels.	Renfro.
Dunlap.	Rowell.
Faulk.	Runge.
Finlay.	Simpson.
Harman.	Smith of Travis.
Jordan.	Smyth.
Kinnear.	Stevenson.
Lane of Harrison.	Teer.
McFarlane.	Wells.
McNatt.	Williamson.
Morris.	

Absent—Excused.

Dinkle.	Hull.
Foster.	Stevens.

Mr. Hall moved to table the motion by Mr. Dale.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—61.

Albritton.	Masterson.
Alexander	Maxwell.
of Bastrop.	McBride.
Alexander	McDonald.
of Limestone.	McDougald.
Atkinson.	McGill.
Avis.	McKean.
Bartlett.	McNatt.
Bedford.	Merritt.
Bobbitt.	Parish.
Boggs.	Perdue.
Bonham.	Poage.
Carter.	Pope.
Coody.	Purl.
Cummings.	Rawlins.
Donnell.	Raymer.
Dunn of Hopkins.	Rowland.
Durham.	Sheats.
Fields.	Simmons.
Gray.	Smith of Nueces.
Hagaman.	Sparks.
Hall.	Stautzenberger.
High.	Stell.
Irwin.	Stout.
Jones.	Taylor.
Kemble.	Tomme.
King.	Veatch.
Kinnear.	Wade.
Kittrell.	Walker.
Lane of Hamilton.	Westbrook.
Lipscomb.	Woodruff.
Mankin.	

Nays—64.

Acker.	Farrar.
Amsler.	Faulk.
Baker of Panola.	Finlay.
Barker.	Florence.
Barron.	Frnka.
Bateman.	Graves.
Bean.	Harper.
Bird.	Hollowell.
Brown.	Hoskins.
Bryant.	Jacks.
Cade.	Jasper.
Chitwood.	Johnson.
Coffey.	Justice.
Covey.	Kayton.
Cox of Lamar.	Kenyon.
Cox of Navarro.	Laird.
Dale.	Loftin.
Daniels.	Low.
Davis of Dallas.	Montgomery.
Davis of Wood.	Moore.
DeBerry.	Pavlica.
Dielmann.	Pearce.
Downs.	Petsch.
Dunn of Falls.	Powell.
Enderby.	Rice.

Robinson.
Rogers.
Sanford.
Shearer.
Sinks.
Smyth.
Storey.
Strong.

Thompson.
Wallace.
Webb.
Wester.
Williamson.
Wilson.
Young.

Absent.

Baker of Orange.	Pool.
Blount.	Renfro.
Conway.	Rowell.
Dunlap.	Runge.
Harman.	Simpson.
Jordan.	Smith of Travis.
Lane of Harrison.	Stevenson.
McFarlane.	Teer.
Morris.	Wells.
Nicholson.	

Absent—Excused.

Dinkle.	Hull.
Foster.	Stevens.

Question then recurring on the motion by Mr. Dale, yeas and nays were demanded, and the motion was lost by the following vote, not receiving the necessary two-thirds vote:

Yeas—71.

Acker.	Harper.
Albritton.	Hollowell.
Amsler.	Hoskins.
Baker of Panola.	Jacks.
Barker.	Jasper.
Barron.	Johnson.
Bateman.	Jones.
Bean.	Justice.
Bird.	Kayton.
Boggs.	Kenyon.
Bryant.	Kittrell.
Cade.	Laird.
Chitwood.	Loftin.
Coffey.	Low.
Coody.	Masterson.
Covey.	Moore.
Cox of Lamar.	Morris.
Cox of Navarro.	Pavlica.
Dale.	Pearce.
Daniels.	Petsch.
Davis of Dallas.	Powell.
Davis of Wood.	Rawlins.
DeBerry.	Rice.
Dielmann.	Robinson.
Downs.	Rogers.
Dunn of Falls.	Sanford.
Enderby.	Shearer.
Farrar.	Sinks.
Faulk.	Smyth.
Finlay.	Storey.
Florence.	Strong.
Frnka.	Thompson.
Graves.	Wallace.
Hagaman.	Webb.

Wester.
Williamson.

Wilson.
Young.

Nays—54.

Alexander of Bastrop.	McBride.
Alexander of Limestone.	McDonald.
Atkinson.	McDougald.
Avis.	McGill.
Bartlett.	McKean.
Bedford.	McNatt.
Bobbitt.	Merritt.
Bonham.	Montgomery.
Carter.	Parish.
Cummings.	Perdue.
Donnell.	Poage.
Dunn of Hopkins.	Pope.
Durham.	Purl.
Fields.	Raymer.
Gray.	Rowland.
Hall.	Sheats.
Harman.	Simmons.
High.	Sparks.
Irwin.	Stautzenberger.
Kemble.	Stell.
King.	Stout.
Kinnear.	Tomme.
Lane of Hamilton.	Veatch.
Lipscomb.	Wade.
Mankin.	Walker.
Maxwell.	Wells.
	Westbrook.
	Woodruff.

Absent.

Baker of Orange.	Renfro.
Blount.	Rowell.
Brown.	Runge.
Conway.	Simpson.
Dunlap.	Smith of Nueces.
Jordan.	Smith of Travis.
Lane of Harrison.	Stevenson.
McFarlane.	Taylor.
Nicholson.	Teer.
Pool.	

Absent—Excused.

Dinkle.	Hull.
Foster.	Stevens.

SPECIAL ORDER SET.

On motion of Mr. Bonham, House bill No. 391 was set as a special order for 2 o'clock p. m. next Friday.

HOUSE BILL NO. 126 WITH SENATE AMENDMENTS.

Mr. Downs called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 126, A bill to be entitled "An Act to amend Chapter 1, Title 29 of the Revised Civil Statutes of the State of Texas, 1911, as amended by Chapter 80, General Laws, Regular Ses-

sion, Thirty-eighth Legislature, relating to the auditing of books, records and accounts of district, county and precinct officers, agents and employes and institutions maintained by the county, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Downs, the House concurred in the Senate amendments.

NOTICE GIVEN.

Mr. Purl gave notice that he would, on tomorrow, ask to be taken up for consideration at that time, Senate bill No. 110.

Mr. Harper gave notice that he would, on tomorrow, ask to be taken up for consideration at that time, Senate bill No. 92.

Mr. McGill gave notice that he would, on tomorrow, ask to be taken up for consideration at that time, Senate bill No. 16.

Mr. Williamson gave notice that he would, on tomorrow, ask to be taken up for consideration at that time, Senate bill No. 74.

BILL ORDERED NOT PRINTED.

On motion of Mr. Downs, House bill No. 576 was ordered not printed.

ADJOURNMENT.

Mr. Hall moved that the House recess until 10 o'clock a. m. tomorrow.

Mr. Dale moved that the House adjourn until 9 o'clock a. m. tomorrow.

Mr. McDonald moved that the House recess to 9 o'clock a. m. tomorrow.

Mr. Fields moved that the House recess to 7:30 o'clock p. m. today.

The motion of Mr. Dale prevailed, and the House, accordingly, at 5:10 o'clock p. m., adjourned to 9 o'clock a. m. tomorrow.

APPENDIX.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, February 26, 1925.
Hon. Lee Satterwhite, Speaker of the House of Representatives.
Sir: Your Committee on Engrossed

Bills have carefully examined and compared

H. B. No. 535, A bill to be entitled "An Act to amend Section 20, Chapter 118, Special Laws, passed at the Regular Session of the Thirty-fifth Legislature, the same being a special road law for Cherokee county, Texas; providing the method of handling funds derived from road district bonds, and declaring an emergency,"

And find the same correctly engrossed.
COVEY, Vice-Chairman.

Committee Room,
Austin, Texas, February 26, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 477, A bill to be entitled "An Act to empower cities having more than five thousand (5000) inhabitants to purchase or otherwise acquire light systems and water systems, and additions, extensions and enlargements thereto, and additional water powers, riparian rights, and repairs of such systems, to issue bonds or notes therefor, and to secure payment thereof to mortgage and encumber the same and the incomes thereof, and everything pertaining thereto, or any part thereof; and to grant to any purchaser under any sale of foreclosure a franchise to operate the same for not over twenty years after such purchase; prescribing the powers and limiting the manner of their exercise, providing for a board of trustees to carry out any contract or encumbrance; providing for the election of a trustee and his successor to make sale on default in payment; prescribing the method of foreclosure, and giving such cities the option to include or exclude any of such property from such encumbrance; prohibiting the sale of such systems unless authorized by majority vote of the qualified property taxpayers, or under the terms of such encumbrance; and prohibiting the encumbrance of such systems except for purchase money, original cost, or to refund existing indebtedness, unless authorized in like manner; approving all proceedings heretofore had in the acquisition of any such systems, and the encumbrance of same within the authority given by this act, and declaring an emergency,"

And find the same correctly engrossed.
COVEY, Vice-Chairman.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Committee Room,
Austin, Texas, February 27, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 38, "An Act making provision for a better system of schools in the various counties of this State; providing for rural high school districts to be composed of elementary school districts; providing for boards of trustees of such districts and conferring upon such boards authority to manage and control the schools thereof as prescribed herein; providing the method of forming such rural high school districts and providing the manner in which school districts may be included in such rural high school districts and defining elementary school districts as referred to herein; providing for the annexation of certain common school districts to other common and independent districts; conferring upon school districts organized or enlarged under the provisions of this act the authority conferred on such districts by general law, except as otherwise herein prescribed, relative to the maintenance and support of the schools thereof, in order to carry out the purposes of this act, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

STOUT, Chairman.

THIRTY-SIXTH DAY.

(Wednesday, March 4, 1925.)

The House met at 9 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Satterwhite.

The roll was called and the following members were present:

Acker.	Bateman.
Albritton.	Bean.
Alexander	Bedford.
of Bastrop.	Bird.
Alexander	Blount.
of Limestone.	Bobbitt.
Amsler.	Boggs.
Atkinson.	Bonham.
Avis.	Brown.
Baker of Orange.	Bryant.
Baker of Panola.	Cade.
Barker.	Carter.
Barron.	Chitwood.
Bartlett.	Coffey.